

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Sheila Smith,

Plaintiff(s),

vs.

Commissioner of Social Security,

Defendant(s).

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Case Number: 1:11cv745

Chief Judge Susan J. Dlott

ORDER

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Stephanie K. Bowman filed on January 7, 2013 (Doc. 20), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired January 25, 2013, hereby ADOPTS said Report and Recommendation.

Accordingly, the decision of the Commissioner to deny plaintiff DIB benefits is **REVERSED**. This matter is hereby **REMANDED** under sentence four of 42 U.S.C. § 405(g).

On remand, the ALJ is to obtain testimony from a medical expert in order to reevaluate whether plaintiff's impairments meet or medically equal the requirements for Listing 1.04A and provide a clear rationale for each determination.

As no further matters remain pending for the Court's review, this case is **CLOSED**.

IT IS SO ORDERED.

s/Susan J. Dlott  
Chief Judge Susan J. Dlott  
United States District Court